IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No. 975 of 2004 (M/B)

1. Jagdish Sapera S/o Late Babu Ram,
   R/o 150 Indra Nagar, Rishikesh,
   District Dehradun.
2. Manish Singh S/o Sri Narendra Singh,
   R/o 501 Amber Talab (West) Roorkee,
   District Haridwar, Uttaranchal.
3. Ms. Rajni D/o Sri Kharati Lal Sharma,
   R/o House No. K-633, Ram Nagar Camp Roorkee,
   Uttaranchal. ……. Petitioners

Versus

State of Uttaranchal through S.S.P.,
Tehri Garhwal & others …… Respondents

Mr. Arvind Vashishth, learned counsel for the petitioners.
Learned Government Advocate.

Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

1. Heard Mr. Arvind Vashishth, learned counsel for the petitioners and learned Government pleader, who accepted the notices on behalf of the respondents No. 1 & 2.

2. Seeing the First Information Report, we do not find any material for alleging offence under Section 328 I.P.C. There is not even a distant suggestion that it is the accused persons, who have introduced any drugs to the deceased. Rest of the offences are bailable and for that purpose, the petitioners may approach the concerned authorities including the Magistrate of the Police, as the case may be. If the bail application is moved by the petitioners, that shall be decided on the same day by the concerned authority.

3. With these observations, the writ petition is disposed of.

(Irshad Hussain, J.) **(V.S. Sirpurkar, C.J.)**
04.10.2004 **04.10.2004**

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